



# Hemingway & Hansen

A Limited Liability Partnership

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## Intellectual Property Law

Patents • Copyrights • Trademarks  
Litigation • Prosecution • Licensing

January 5, 2006

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*Via Facsimile and  
First Class Mail*

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Attn: Examiner Supervisor Seema S. Roa

Re: Unicast Agent Advertisement Based on Layer 2 and Layer 3  
Motion Detection  
Serial No.: 09/540,362  
Filed: March 31, 2000  
Discl. No.: 11153RRUS01U  
Our File: P1001

Dear Supervisory Roa:

As you may be aware, the correspondence address in this file is being altered to send correspondence to an address for our client in Canada. Our office is the designated office for all correspondence. An office action was mailed to the incorrect Canadian address several months ago, and this is the third time this problem has arisen and been corrected.

We have been in contact with Examiner Jagannathan on several occasions since November 11, 2005 to have the latest office action mailed to our address. The USPTO has acknowledged that our address is the only correspondence address in the file. The USPTO has also acknowledged that there is no correspondence in the file that should result in a change to the correspondence address. The USPTO has also stated that until the office action is mailed to the correct address, the deadline for responding to the office action will not commence. Furthermore, we have been repeatedly assured that the office action would be mailed to our address very shortly.

January 5, 2006

Page 2

As of today, we still have not received the latest office action from the USPTO at our office. Please provide us with an update on the following:

- 1) What progress, if any, has been made on correcting the address problem so that our address will not be changed again without a proper request?
- 2) When can we expect an office action to be mailed to our address?

Please also provide written confirmation that no response deadline will commence to run until the office action is mailed to the correct correspondence address, at which time the response deadlines will commence from the mailing date by the USPTO. Please also fax us a copy of the office action that was not mailed to us in December.

Thank you for your cooperation in this matter. If you have any comments or question, please contact me.

Very truly yours,

A handwritten signature in cursive script that reads "D. Scott Hemingway".

D. Scott Hemingway